

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EXCALIBUR LIMITED PARTNERSHIP and  
WHALEHAVEN CAPITAL FUND LTD.,

Plaintiffs,

-against-

EARTH BIOFUELS, INC.,

Defendant.

Civ. No. 07 CV 3434 (GBD)

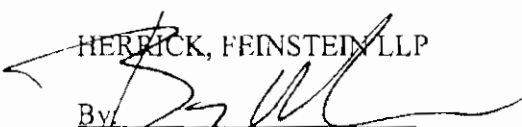
**JOINT STIPULATION OF  
DISMISSAL**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, all parties hereto stipulate to the dismissal of all claims in this action with prejudice and without costs, all parties hereby waiving all rights of appeal.

Dated: November 29, 2007

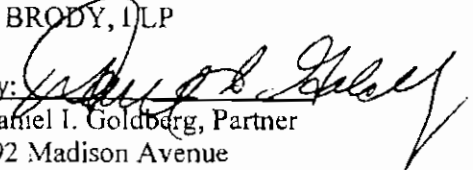
Respectfully submitted,

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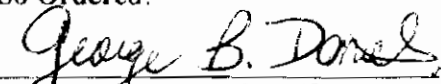
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So Ordered: JAN 18 2008

  
Hon. George B. Daniels, U.S.D.J.  
Date: 